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**Record No. 06-809**

**In the**

**Untied States Supreme Court**

**Joyce Patterson-Beggs, Petitioner**

**Vs**

**Linda B. Smith Clerk of the Hampton Circuit Court**

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# Motion for Rehearing En Banc

**Extraordinary Circumstances**

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# Writ of Mandamus

**From the Supreme Court of Virginia**

**Joyce Patterson-Beggs**
**312 South Willard Ave**
**Hampton Virginia, 23663**
**757- 265-7784**

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## Intervening circumstances of a substantial And Controlling effect

Comes now the Petitioner to request a rehearing in banc, due to Fraudulent Activities of Ghost Writing Conspiracy to mislead the court of Public Justice pursuant to Title 42 Chapter 21 Subchapter 1986 Action of Neglect to Prevent by Title 42 Chapter 21 Subchapter 1 1985 & Conspiracy to interfere with Civil Rights on the following:

1. Jurisprudence, were at all times "voided", as said Respondent work with Indispensable Parties to mislead the Lower Court, casing Severe Manifest Constitutional Violations. Severely infringing on the Petitioner and her Infants Civil Right's, Due Process of Laws under Fourteen Amendment.

2. The Petitioner's Infants, have suffered mentally, being deprived of their self-esteem, and their future dreams, as they struggle through these last years of High School. Being victimized by ten years of Injustice, and Conspiracy by the unseen hands of said Respondent becoming a Major

Player, to help said Indispensable Parties, mislead Lower Court, will need many years to recover by needed canceling.

## Substantial grounds not previously presented

3. Said Respondent stepped up the plate, to willingly become a Major Player with a wheel of Conspirators under her tenure for ten years, to mislead the lower Court in concealing the fraudulent Activities of State Farm General Insurance Companies, "here after State Farm" whom fraudulently describe Petitioner being in an Automobile Accident in Fredericksburg in 1997 as they began their Investigation in bad faith with the Petitioner first attorney of Record 1997-1998.

a. This important information was share with the Petitioner on January 26, 2007 on the same day the Petitioner son was arrested at this High School. The Petitioner requested the information be gathered by past present Attorneys of Record. On January 29, 2007, a call from State Farm Automobile Insurance claims Department of Virginia, called back for the claim numbers on letter head to

the Petitioner Attorney of Record, and offer an apology with no call backs for settlement. These set of facts show the same results as inside trading, with inside information given to Said Players, in the wake of internal investigations to continue Obstruction of Justice, and the Petitioner and her Infants continue to suffer Miscarriages of Justice. Most importantly giving said players, time to delete transactions of improper insurance information, with using the petitioner children, to distract for her Fight for Justice as Complained to the United States Congress in 2004.

b. Sec Act of 1934 "Rule 10b-5: Employment of Manipulative and Deceptive Practices", Cites:

> It shall be unlawful for any person, directly or indirectly, by the use of any means or instrumentality of interstate commerce, or of the mails or of any facility of any national securities exchange,
>
> (a) To employ any device, scheme, or artifice to defraud,
>
> (b) To make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, or
>
> (c) To engage in any act, practice, or course of business which operates or would operate as a fraud or deceit

upon any person, in connection with the purchase or sale of any security.

4. By Respondent listing State Farm Insurance Company as an Automobile Accident, [not as Construction Fraud, and Bad faith], her behavior is no differ than the fraud Allstate insurance faced by their own Claim adjuster Gaylan Sweet of San Diego, California, who set up a scheme in 2002 that included non-existent children who were killed in hit-and-run auto accidents at non-existent intersections by phantom drunk drivers. Sweet and two others (who posed as the parents of the non-existent children) pocketed $710,000 before being caught by Allstate. With the false information of the Petitioner being an Automobile Accident, the Petitioner is not aware of any Settlement, nor the Recipients of the Falsely described Automobile Accident, which injured the Petitioner.

5. Respondent misrepresentation of her Clerical Files caused damage to petitioner reputation by disparagement under the Ninth Amendment, which effected her

employment, and Business and Insurance transaction in the Community, with no concern of the financial damage nor reputation of the Petitioner and her family, causing mental street, voiding out her Human Right's and guarantee Liberties.

6. James Madison Sated will regarding the Ninth Amendment and Bill of Right Quoted:

> by enumerating particular exceptions to the grant of power, it would disparage those rights which were not placed in that enumeration, and it might follow by implication, that those rights which were not singled out, were intended to be assigned into the hands of the general government, and were consequently insecure. With the Help from the petitioner state of Virginia, James Madison put for the Ninth Amendment with Alexander Hamilton.

7. In Citing SEC v. Zandford, 535 U.S. 813 (2002), the Court held that a banker who stole money from client by

convincing client to buy stocks, then cashing the stocks in for himself was liable under Rule 10b-5 even though the banker's fraud had nothing to do with the value of the stock. It was enough that the fraud was connected to the purchase of the stock by the defrauded party.

8. The Petitioner properly filed her Motion for Judgment against State Farm in 2001, as she filed her Motion to Reinstate John Pane in 2006. Showing said Respondent Practice a continuous patterning of willful discrimination toward the Petitioner because of her political belief as Very Cruel and Unusual

9. Petitioner's Writ of Mandamus, show forth Severe Patterns of Fraud and Obstruction of Justice, and Obstruction of Filling, Computer Fraud, and denial of fundamental fairness, and being deprived of the Right's to Appeal, over ten years of Civil Litigation.

4. Petitioner argue [Black Republicans are a political class of people, who are true Romantics of our Society under the term of ' National Origin'.] Influenced under President

Abraham Lincoln, Fredrick Douglass, President Ulysses S. Grant with great love for mankind and for the great growth and protection of our Country to include, Theodore Roosevelt. Especially with the Extraordinary Political and Personal Growth of President Ulysses Grant, who up fourth the 14 Amendment that Congress passed, with the help of Fredrick Douglas.

5. Black Republicans, are protected under the Civil Right's Act and especially under Title VII, prohibits discrimination against an individual because of his or her association with another individual of a particular race, color, religion, sex, or national origin.

6. The Respondent & Indispensable Necessary Parties Violated the Petitioner and her infants Civil Right's under the Civil Right's Act of 1998 VIII who discriminated and retaliated against the petitioner's and her Infants right's to a safe, and Secure Home under the Fair Housing act, by Interfering with the Petitioner's First Attorney of Record, with State Farm General Insurance describing said case as an

Automobile Accidence during the time of their investigation in bad faith, interfering with the Petitioner's First Attorney of Record. Depriving the Petitioner of the enjoyment of a safe, Home Ownership, enjoyment of fair housing rights because of her Political Affiliation.

## Extraordinary Circumstances of Relief Sought

**7.** The Petitioner respectfully moves this Court pursuant to U.S.C. 1651 to grant a Writ of Mandamus. Directing Petitioner Jurisdiction to Vacate Judgments involving All said Complex Cases which matured from case at law 97-36817 and direct the Clerk of United States Supreme Court, to Docket the Petitioner's Case No. 04M26 Writ of Certiorari filed in the United States Supreme Court November 3, 2004. Giving given Judgment to the Petitioner and her infants, which is justified on ground that said Respondent infringed on the Petitioner Civil Right's and Federal Constitutional in a wheel of Conspiracy with said Respondents listed in Beggs Vs. Allied Broker's Inc, et al, of Fraudulent Activity of Ghost writing scheme of fraud on

the Court of Public Justice, willfully causing unnecessary suffering, and victimizing the Petitioner and her Infants.

8. The Ninth Amendment protects classes of people like the petitioner who are in the minority of her own race as a Black Republican, victimize by Clerical Misprision by said Respondent, a Black Democrat who server in the Majority of the Petitioner's Jurisdiction, as a Constitutional Officer of whom is not License by the Virginia State Bar. Willingly, becoming an unseen hand, and a major player in fraudulent Ghost Writing Conspiracy to mislead the lower Court for more than ten years of civil litigation pending in the Hampton Circuit Court, which injured the Petitioner and her infants.

9. In which the Petitioner moves this Court to Mandate direct her Appellant Jurisdiction to make necessary changes in the Qualifications of Legal Education and Requirement of Constitutional Officer who serves as Clerk of Circuit Courts to protect all Citizens Federal Constitutional Right's, Civil Right's, other act of Congress.

## Conclusion

Therefore the Petitioner's Writ of Mandamus & Case No. 04M26 Writ of Certiorari filed in the United States Supreme Court November 3, 2004 should be Granted, in the interest of Justice, and not for delay.

## Certification of Attorney

**I Joyce Patterson Beggs Petitioner as Pro se, do here by Certify that said Writ of Mandamus for a Rehearing In Banc is in Good faith and not to delay.**

**I Joyce Patterson-Beggs Certify that she suffer from Complex Dyslexia, and has to the Best of her ability to put forth proper rules of the United States Supreme Court, Under the "MicrosoftWord" Soft-ware, she is self-trained to use, is why said Writ is typed in Times-New Roman, to accommodate special Disability under the American with Disability Act.**

**I certify that all below Attorneys of Record has received three copies of said writ.**

**Notary** Pearl M Crow

**Name** Joyce Patterson Beggs

**Da'** March 10, 2009

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# False insurance claims

From Wikipedia, the free encyclopedia

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**Insurance fraud** or **false insurance claims** are insurance claims filed with the intent to defraud an insurance provider.

[ used in these complex cases to said Player to discriminate against the Petitioner and her Infants and to mislead the Court through Fraudulent Ghost Writing]

In the United States insurance fraud is estimated to cost US$875 per person per year with The Coalition Against Insurance Fraud estimating the loss to be $80 billion per year and Medicare estimating fraud in its system costs the government $179 billion per year.

Insurance fraud hurts the average person in two ways. First, all fraud costs, including losses, investigations, etc., are paid for by the insured through higher premiums, or, in the case of government insurance like Medicare, in higher taxes. Second, if a particular individual is the target for the fraud, they have costs such as deductible payments, loss of property use, etc., as well as higher premiums from the claim loss and the potential for denial of future coverage.

Some memorable examples of insurance fraud include the following:

- Former British Government minister John Stonehouse went missing in 1974 from a beach in Miami. He was

discovered living under an assumed name in Australia.

- Derek Nicholson and Nikole Nagle were accused of attempting to defraud a life insurance company for $1 million after Mr Nicholson apparently went missing in New Jersey in July 2003 and Ms Nagle reported him missing and made a claim on the policy.
- Gaylan Sweet of San Diego, California, who was a claims adjuster for Allstate Insurance set up a scheme in 2002 that included non-existent children who were killed in hit-and-run auto accidents at non-existent intersections by phantom drunk drivers. Sweet and two others (who posed as the parents of the non-existent children) pocketed $710,000 before being caught by Allstate.

In any proceeding for criminal contempt arising under title II, III, IV, V, VI, or VII of this Act, the accused, upon demand therefor, shall be entitled to a trial by jury, which shall conform as near as may be to the practice in criminal cases. Upon conviction, the accused shall not be fined more than $1,000 or imprisoned for more than six months.

This section shall not apply to contempts committed in the presence of the court, or so near thereto as to obstruct the administration of justice, nor to the misbehavior, misconduct, or disobedience of any officer of the court in respect to writs, orders, or process of the court. No person shall be convicted of criminal contempt hereunder unless the act or omission constituting such contempt shall have been intentional, as required in other cases of criminal contempt.

Nor shall anything herein be construed to deprive courts of their power, by civil contempt proceedings, without a jury, to secure compliance with or to prevent obstruction of, as distinguished from punishment for violations of, any lawful writ, process, order, rule, decree, or command of the court in accordance with the prevailing usages of law and equity, including the power of detention.

# § 1983. Civil action for deprivation of rights

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia.

## § 1985. Conspiracy to interfere with civil rights

**(1) Preventing officer from performing duties**

If two or more persons in any State or Territory conspire to prevent, by force, intimidation, or threat, any person from accepting or holding any office, trust, or place of confidence under the United States, or from discharging any duties thereof; or to induce by like means any officer of the United States to leave any State, district, or place, where his duties as an officer are required to be performed, or to injure him in his person or property on account of his lawful discharge of the duties of his office, or while engaged in the lawful discharge thereof, or to injure his property so as to molest, interrupt, hinder, or impede him in the discharge of his official duties;

**(2) Obstructing justice; intimidating party, witness, or juror**

If two or more persons in any State or Territory conspire to deter, by force, intimidation, or threat, any party or witness in any court of the United States from attending such court, or from testifying to any matter pending therein, freely, fully, and truthfully, or to injure such party or witness in his person or property on account of his having so attended or testified, or to influence the verdict, presentment, or indictment of any grand or petit juror in any such court, or to injure such juror in his person or property on account of any verdict, presentment, or indictment lawfully assented to by him, or of his being or having been such juror; or if two or more persons conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal

protection of the laws;

**(3) Depriving persons of rights or privileges**

If two or more persons in any State or Territory conspire or go in disguise on the highway or on the premises of another, for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws; or if two or more persons conspire to prevent by force, intimidation, or threat, any citizen who is lawfully entitled to vote, from giving his support or advocacy in a legal manner, toward or in favor of the election of any lawfully qualified person as an elector for President or Vice President, or as a Member of Congress of the United States; or to injure any citizen in person or property on account of such support or advocacy; in any case of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators.

## § 1986. Action for neglect to prevent

Every person who, having knowledge that any of the wrongs conspired to be done, and mentioned in section 1985 of this title, are about to be committed, and having power to prevent or aid in preventing the commission of the same, neglects or refuses so to do, if such wrongful act be committed, shall be liable to the party injured, or his legal representatives, for all damages caused by such wrongful act, which such person by reasonable diligence could have prevented; and such damages may be recovered in an action on the case; and any number of persons guilty of such wrongful neglect or refusal may be joined as defendants in the action; and if the death of any party be caused by any such wrongful act and neglect, the legal representatives of the deceased shall have such action therefor, and may recover not exceeding $5,000 damages therein, for the benefit of the widow of the deceased, if there be one, and if there be no widow, then for the benefit of the next of kin of the deceased. But no action under the provisions of this section shall be sustained which is not commenced within one year after the cause of action has accrued.

## Snapshot for *national origin*

From Columbia Encyclopedia

minority, in international law, population group with a characteristic culture and sense of identity occupying a subordinate political status. Religious minorities were known from ancient times, but ethnic minorities did not become an issue in European politics until the rise of nationalism in the 19th cent. The potential conflict arose from nationalism's equation of the nation with the identity of the dominant cultural group, with an attempt to eradicate separate identities through conformity. The minority group sought to establish its own culture as a national identity, either by incorporating with a nearby country that shared its identity or, if none existed, by seceding and forming its own nation. Before World War I, the minority problem was especially acute in the Austro-Hungarian Monarchy , the Ottoman Empire (Turkey), and Russia. During the war, each side promised autonomy or independence to minorities in enemy states, and revolts (e.g., of Arabs and Czechs) were encouraged. On...